

1 S. MITCHELL KAPLAN (SBN 095065)
2 MARK E. MEREDITH (SBN 156389)
3 GORDON & REES LLP
4 275 Battery Street, Suite 2000
5 San Francisco, CA 94111
6 Telephone: (415) 986-5900
7 Facsimile: (415) 986-8054

8 STEPHEN E. RAY (*Pro Hac Vice*)
9 STEIN, RAY & HARRIS LLP
10 222 West Adams Street, Suite 1800
11 Chicago, IL 60606
12 Telephone: (312) 641-3700
13 Facsimile: (312) 641-3701

14 Attorneys for Plaintiff
15 BOVIS LEND LEASE, INC. as assignee of
16 LNR-LENNAR BRANNAN STREET, LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 SAN FRANCISCO DIVISION

20 BOVIS LEND LEASE, INC., as assignee of
21 LNR-LENNAR BRANNAN STREET, LLC,

22 Plaintiff,
23 vs.

24 MBH ARCHITECTS, INC. aka MCNULTY
25 BRISKMAN HEATH and DOES 1 through 150,

26 Defendants.

27 MBH ARCHITECTS, INC., a/k/a McNULTY
28 BRISKMAN HEATH,

29 Cross-Complainant,
30 vs.

31 LNR-LENNAR BRANNAN STREET, LLC,
32 and ROES, 1 through 150, inclusive,

33 Cross-Defendants.

34 Case No. C 07-05262 JSW

35 **REQUEST FOR CONTINUANCE OF
36 PRETRIAL CONFERENCE AND
37 EXTENSION OF ASSOCIATED
38 DEADLINES; PROPOSED ORDER**

39 Judge: Hon. Jeffrey S. White

40 Trial Date: April 20, 2009

The Parties have reached a tentative settlement in the above-captioned matter and request that this Court continue the Pre-Trial Conference set for March 31, 2009 and all associated deadlines for seven (7) days to allow the Parties additional time to memorialize the settlement in a written settlement agreement. The parties expect that a Notice of Settlement will be filed within the next three (3) court days.

DATED: March ___, 2009.

GORDON & REES, LLP

By: S. Mitchell Kaplan

S. Mitchell Kaplan

Attorneys for Plaintiff BOVIS LEND LEASE, INC. as assignee of LNR-LENNAR BRANNAN STREET, LLC

ORDER

IT IS HEREBY ORDERED that the Pre-Trial Conference set for March 31, 2009 be continued to April 8, 2009 at 10:00 a.m. and all other deadlines in this case are continued seven (7) Court days.

Dated: March 31, 2009

Jeffrey S White
JUDGE OF THE SUPERIOR COURT

The filings that were due pursuant to this Court's March 20 Order shall be due by no later than 4:00 p.m. on Friday, April 3, 2009, in the event this matter does not settle. The parties are also advised that, in the future, when the Court has set a deadline, they should request an extension of time to complete the deadline, even when the reason for failing to comply with the deadline pertains to settlement efforts.